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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Colin Drane

Application No.: 10/76,549

Filed: February 11, 2004

For: Collapsible Trunk Organizer

§ Notice of Allowance Date:  
§  
§ Group Art Unit:  
§  
§ Examiner:  
§  
§ Class-Subclass:  
§  
§ Atty. Dkt. No.: DRNE1  
§

PETITION TO MAKE SPECIAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. 1.102 and 1.17(i), and in full compliance with MPEP 708.02, applicant hereby respectfully petitions that the above application be made special for the following reasons: VIII. Special Procedure: Search Was Made.

There follows a statement in support thereof. Also included are a check, made payable to the Commissioner of Patents & Trademarks and in the amount of \$130.00, for this petition's filing fee, and a Return Receipt Postcard addressed to the attorney for the applicant.

Respectfully submitted

Larry J. Guffey

Registration No. 37,048

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(410) 659-9550

ATTORNEY FOR APPLICANT

3/2/04  
Date

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I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail with proper postage affixed in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

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STATEMENT IN SUPPORT OF ACCOMPANYING PETITION TO MAKE SPECIAL

Reason VIII - Special Procedure: Search Was Made

In support of the accompanying transmitted Petition To Make Special, applicant hereby states that:

1. All claims are directed to a single invention, or if the Office determines that all claims presented are not obviously directed to a single invention, the applicant will make the required election without traverse as a prerequisite to the grant of special status.
2. A pre-examination, prior art search was made of the following classes and subclasses:  
220-6 Receptacles, Folding  
220-500 Receptacles, Compartmented Container  
220-520 Receptacles, Compartments Held Together  
224-925 Package & Artifacts Carriers, Carrier For Grocery Bags
3. An Information Disclosure Statement was filed with the applicant's original application in order to allow the applicant to comply with his duty of disclosure as set forth at 37 C.F.R. § 1.56. This Statement includes a completed form PTO-1499, which lists the pre-examination, prior art search results/references. A copy of these references and this Information Disclosure Statement and form PTO-1499 are enclosed.
4. Submitted below is information on the general level of the art in the field of the applicant's invention, and a detailed discussion of the pre-examination, prior art search references, wherein there are pointed out, with the particularity required by 37 CFR 1.11(b) and

(c), the specific distinctions believed to render the claims patentable over any references, and how the language of the claims patentably distinguishes them from the references:

Automobile trunks and mini vans and other vehicles with relatively flat cargo storage areas provide little means for confining packages placed within such spaces. Thus, there exists a need for a system that provides, when needed, individual storage areas for segregating and supporting items such as grocery bags and the like and yet, when not needed, can be folded flat, so as to occupy minimal space so that the storage device need not be removed from the vehicle. Many relatively complicated, interlocking storage devices have been proposed for this purpose. These include those devices disclosed in U.S. Patent Nos. 3,986,656; 4,029,244; 4,189,056; 4,226,348; 5,004,146; 5,054,668; 5,167,363; 5,366,189; 5,419,471; 5,518,170; 5,538,148; 5,772,058; 5,819,996; 6,015,071; 6,206,224 and 6,488,168.

Although these storage devices serve to provide segregation and support for individual items, they tend to be somewhat complicated, expensive and few of them are easily converted between stored and use positions. Consequently, a need continues to exist for an inexpensive, durable, easy-to-use and compact storage system for organizing vehicle storage area for the convenience of the user as well as facilitating the support of items being transported.

Turning now to discuss each of the pre-examination, prior art search references, it can be seen that U.S. Patent No. 3,986,656 discloses a “collapsible package-holding structure.” However, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 4,029,244 discloses “collapsible receptacle type stand for use in transporting loaded grocery bags.” It utilizes a picket fence type walls that re hanged to collapse. However, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 4,189,056 discloses a “knock-down portable shopping rack.” It is very similar to U.S. Patent No. 4,029,244. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 4,226,348 discloses a “Automobile trunk contained grocery bag holder.” Its parts are rigid members that have carefully crafted slots which allow its various parts to fit together. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,004,146 discloses a “portable, collapsible cellular rack.” It has folding and slotted parts, but no bottom or parts that hinge at only two points and rotate. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,054,668 discloses a “car trunk carrier tray.” It has carefully craft parts that fit together by a combination of grooves and slots. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,167,363 discloses a “collapsible storage pen.” It has folding and slotted parts, but no bottom or parts that hinge at only two points and rotate. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner

edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,366,189 discloses a “shopper’s caddy.” It has only two rigid slotted members that fit together along their vertical centerlines. It has folding and slotted parts, but no bottom or parts that hinge at only two points and rotate. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,419,471 discloses a “collapsible structure for maintaining articles in a stabilized condition and method for making same.” It also has folding and slotted parts, but no bottom or parts that hinge at only two points and rotate. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,518,170 discloses a “collapsible storage pen.” It has generally rectangular enclosures that are joined together along common edges, and no bottom. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,538,148 discloses a “cargo support for vehicles.” It also has folding and slotted parts, but no bottom or parts that hinge at only two points and rotate. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side

edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,772,058 discloses a “collapsible article divider and support.” It has folding parts with rods that provide a connection means; but it has no bottom. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 5,819,996 discloses a “trunk organizer.” It has especially configured stiff members that fit together with slots and grooves. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 6,015,071 discloses a “vehicle storage divider.” It has rather involved, stiff plastic parts that are hinged at their ends and can rotate. However, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 6,206,224 discloses a “shopping caddy and bag system.” It has carefully crafted and foldable parts, but no parts that hinge at only two points and rotate. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

U.S. Patent No. 6,488,168 discloses an “article-storing box placed in an automobile trunk.” It has rather involved, stiff plastic parts that fit together with slots and grooves. Thus, the claimed subject matter of the present invention involves elements (e.g., a middle panel having top side corner edges .. having a specified radius of curvature; end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge; a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel) that are quite different from those of this cited, prior art reference.

The language of the claims of the present invention are patentably distinguishable from such prior references. For example, it should be noted that the present invention has unique, improvement elements such as:

a middle panel having top side corner edges .. having a specified radius of curvature;  
end panels having a .. bottom side edge .. having a notch ... extending perpendicular to said bottom side edge;

a means for hingedly coupling said bottom edge of said middle panel proximate said centerline of said main panel;

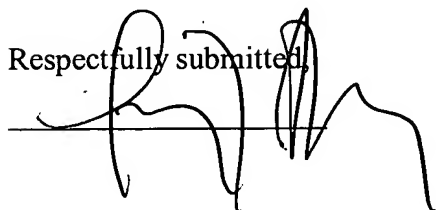
wherein said curved portions of said middle panel corner edges and said end panel notches configured so as to allow said end panels to rotate upward with the edges of said notches sliding along a portion of the faces of said middle panel when said middle panel is being held in a vertical position; and

a means for fastening attached to the bottom of said main panel middle section that allows said organizer to be secured to a portion of the environment surrounding said organizer.

No such elements are seen in the cited prior art.

In view of the foregoing, it is submitted that a detailed discussion of the prior art references has been provided, wherein there has been pointed out, with the particularity required by 37 CFR 1.11(b) and (c), the specific distinctions believed to render the claims patentable over these references, and how the language of the claims patentably distinguishes them from the references. Granting of this “Petition To Make Special” at an early date is solicited.

Respectfully submitted,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end.

3/2/04



Larry J. Guffey

Date

Registration No. 37,048

World Trade Center - Suite 1800,

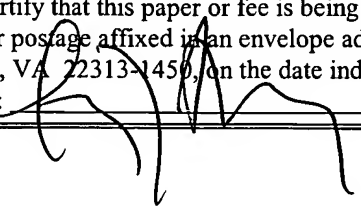
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